

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 363
SENATE BILL 454

AN ACT TO PROVIDE FOR AN ELECTION IN THE NORTHEASTERNMOST PART OF DARE COUNTY ON THE QUESTION OF ESTABLISHING AN OUTER BANKS BEAUTIFICATION DISTRICT AND TO PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THIS DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. Election Authorized. The Dare County Board of County Commissioners may call an election in the Outer Banks Beautification District, described in Section 2 of this act, to submit to the voters in the district the single issue of establishing the Outer Banks Beautification District and authorizing the annual levy and collection of a special ad valorem tax on all taxable property in the district to beautify the district and protect the citizens of the district by providing for the installation of underground utility lines and facilities. The Dare County Board of Elections shall conduct this election, in accordance with Chapter 163 of the General Statutes, and shall certify the results of the election to the Dare County Board of Commissioners.

Sec. 2. Description of District. The Outer Banks Beautification District consists of that part of Dare County beginning at the point at which the Dare County boundary, the Currituck County boundary, and the Atlantic Ocean intersect; then proceeding along the Dare/Currituck boundary to Currituck Sound, then proceeding southward along the eastern side of the Currituck Sound, Albemarle Sound, and Croatan Sound; then proceeding eastward through the Oregon Inlet; and then proceeding northward along the Dare County boundary on the Atlantic Ocean to the point of beginning. The district also includes the territory of the Manteo Precinct of Dare County as of the date of ratification of this act.

Sec. 3. Ballot. The Dare County Board of Elections shall prepare ballots in the following form for an election called under Section 1 of this act:

" FOR creation of the Outer Banks Beautification District and the levy of an ad valorem tax, not to exceed five cents (5¢) for each one hundred dollars (\$100.00) taxable valuation, to beautify the district and protect the citizens of the district by providing for the underground installation of utility lines and facilities.

AGAINST creation of the Outer Banks Beautification District and the levy of an ad valorem tax, not to exceed five cents (5¢) for each one hundred dollars (\$100.00) taxable valuation, to beautify the district and

protect the citizens of the district by providing for the underground installation of utility lines and facilities."

Sec. 4. District Established; Tax Levy. If a majority of the qualified voters voting on an election called under Section 1 of this act vote in favor of creating the Outer Banks Beautification District and authorizing the levy and collection of an ad valorem tax in the district, the Dare County Board of Commissioners shall, upon receipt of a certified copy of the election results, adopt a resolution creating the Outer Banks Beautification District and shall file a copy of the resolution with the clerk of superior court of Dare County. Upon establishing the Outer Banks Beautification District, the Dare County Board of Commissioners may annually levy an ad valorem tax on all taxable property in the district in an amount the board considers necessary to provide for the installation of underground utility lines and facilities, not to exceed five cents (5¢) for each one hundred dollars (\$100.00) taxable valuation of property. The proceeds of this tax shall be used only to provide for the underground installation of utility lines and facilities in the district.

Sec. 5. Nature of District; Governing Body. If created, the Outer Banks Beautification District shall be a body politic and corporate and shall have the power to provide for the installation of underground utility lines and facilities and do all acts reasonably necessary to fulfill this purpose. The Dare County Board of Commissioners shall serve, ex officio, as the governing body of the district, and the officers of the board of county commissioners shall likewise serve as the officers of the governing body of the district. A simple majority of the governing body constitutes a quorum, and approval by a majority of those present is sufficient to determine any matter before the governing body, if a quorum is present.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 20th day of June, 1989.